

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
NO. 5:18-CR-452-1-FL

UNITED STATES OF AMERICA,     )  
  )  
  ) v.     ) UNITED STATES' RESPONSE  
  ) TO DEFENDANT'S OBJECTIONS  
  ) TO THE MEMORANDUM AND  
  ) RECOMMENDATION AT D.E. 247  
LEONID ISAAKOVICH TEYF,     )

The United States of America, by and through the United States Attorney for the Eastern District of North Carolina, files this response to defendant's objections to the Memorandum and Recommendation of United States Magistrate Judge Numbers, which recommends this Court deny defendant's motion to suppress. D.E. 247. In response, it is stated unto the Court:

In his objections, the defendant makes two claims as to the legal theory under which the government sought seizure of the assets. D.E. 330 at 10. Defendant first argues that the government moved to seize the assets under the wrong legal theory. In support, he cites to the opening paragraph of the seizure affidavit. D.E. 330 at 10. There, the statutory authority asserted was that which authorizes the Attorney General and other agencies to seize funds, 18 U.S.C. §§ 981(b) and 982(b), not a theory or basis for the seizure itself. D.E. 182-1 at 5, ¶ 1. Second, citing to paragraph 79 of the affidavit, he argues that the government referenced to the seizure statutes as a whole, rather than to any specific subsection, and thus, lacked any legal theory. D.E. 330 at 10. The actual plea for relief, which states the government's legal theory and statutory support, is found in paragraphs 80 and 81 of that same document. D.E. 182-1 at 50, ¶¶ 80 and 81. There, the affiant identified the funds at issue represent the

proceeds involved in or traceable to transactions and attempted transactions under the money laundering statutes, and properly cites the specific authority for such seizure as 18 U.S.C. §§ 981(a)(1)(A) and 982(a)(1). D.E. 182-1 at 50, ¶¶ 80, 81.

The defendant's objections otherwise simply re-state and re-allege arguments made in his initial motion (D.E. 182) and reply (D.E. 205), which were appropriately and fully heard and considered by the Magistrate Judge.

For these reasons, and the reasons articulated in its prior filings at D.E. 196 and 197, the arguments made at the hearings before this Court and that before Magistrate Judge Numbers, as well as the previous findings of this Court as related to a similar motion by defendant Tatyana Teyf, the government propounds the Memorandum and Recommendation correctly assessed the law and facts, and should be adopted by this Court.

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## CERTIFICATE OF SERVICE

This is to certify that I have this 20th day of September, 2019, served a copy of the foregoing upon the defendants by filing the foregoing with the Clerk of Court, using the CM/ECF system which will send notification of such filing to the defendant's counsel of record.

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